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9 (Agent for Komir, Inc.) and Komir, Inc.

10 UNITED STATES BANKRUPTCY COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 In re

Case No. 19-30088 (DM)

14 PG&E CORPORATION,

Chapter 11

15 - and -

(Lead Case) (Jointly Administered)

16 PACIFIC GAS AND ELECTRIC
17 COMPANY,

18 Debtors.

19 G Affects PG&E Corporation
20 G Affects Pacific Gas and Electric Company
21 O Affects both Debtors

**EVIDENTIARY OBJECTIONS TO THE
DECLARATION OF ROB SULLIVAN IN
SUPPORT OF**

**(1) CLAIMANT'S REPLY TO PG&E'S
OPPOSITION TO MOTION FOR
PARTIAL SUMMARY JUDGMENT OF
ISSUES IN REORGANIZED DEBTORS
OBJECTION TO CLAIM #2090 AND
CLAIMANT'S RESPONSE THERETO
AND**

**(2) CLAIMANT'S RESPONSE TO THE
COUNTER-MOTION FOR SUMMARY
JUDGMENT BY DEBTORS**

**[Response to Counter-Motion Filed
Separately]**

Date: April 11, 2023

Time: 10:00 a.m.

**Place: (Tele/Videoconference Appearances
Only)**

**United States Bankruptcy Court
Courtroom 17, 16th Floor
San Francisco, CA 94102**

1 Amir Shahmirza, as agent of, and acting on behalf of, Komir, Inc. (“Komir” or “Claimant”),
2 submits the following Evidentiary Objections to the Declaration of Rob Sullivan in Support of (1)
3 Claimant’s Reply to PG&E’s Opposition to Motion for Partial Summary Judgment of Issues in
4 Reorganized Debtors’ Objection to Claim #2090 and Claimant’s Response Thereto and (2)
5 Claimant’s Response to the Counter-Motion for Summary Judgment by Debtors.

6 For the reasons and on the grounds stated below, Claimant objects to and seeks the exclusion
7 of the statements in and exhibits to the Declaration of Rob Sullivan as follows:

8 **1. Paragraph 4**

9 (a) Paragraph 4, page 1, lines 17-20, in its entirety on grounds of lack of relevance to
10 Claimant’s Motion for Partial Summary Judgment.

11 The entire content of this paragraph lacks relevance to the Claimant’s Motion for
12 Partial Summary Judgment in that the motion seeks adjudication of the
13 extinguishment of all easements referenced in Sullivan Declaration such that the
14 location of any area described in any of the extinguished easements is irrelevant.

15 (b) Paragraph 4, page 1, lines 17-20, in its entirety on grounds of lack of relevance to
16 Claimant’s Motion for Partial Summary Judgment.

17 The entire content of this paragraph lacks relevance to the Debtors’ Counter Motion
18 for Summary Judgment in that the location of easement areas in recorded documents
19 is irrelevant to any claim of entitlements based upon actual occupancy of whatever
20 portion of Claimant’s Property the Debtors contend that they have acquired rights
21 based of prescriptive easement.

22 (c) Exhibit E is inadmissible as lacking foundation as to the manner of its preparation,
23 i.e., the Declarant may be a licensed surveyor but the Declaration lacks foundation as
24 to the procedures followed by him to properly and accurately prepare the Exhibit.

25 (d) Exhibit E is inadmissible as a form of Survey for which the Debtors and the Declarant
26 failed to comply with the requirements of the Land Surveyor’s Act, Business &

1 Professions Code § 8762(b)(2) through (b)(5) that require the submission of the
2 Survey to the County Surveyor for review and authorization or refusal of
3 authorization for recordation, and as lacking a statement of purpose and Surveyor's
4 stamp required by B&P § 8760(c) and (d), respectively.

5 Respectfully submitted.

6 Dated: April 3, 2023

COHEN AND JACOBSON, LLP

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8 By: /s/ Lawrence A. Jacobson
Attorneys for Claimant